Applicant:

KRAENZEL et al.

Serial No:

10/091,573 March 7, 2002

Filing Date: Page:

10 of 14

REMARKS

In response to the Office Action mailed October 11, 2006 (hereinafter "Office

Action"), claims 3, 7, 9-11, 13, 16, 20, 22-24, 28, 32, and 34-36 have been cancelled without

prejudice or disclaimer, and claims 1-2, 5-6, 8, 12, 14, 21, 25-27, 30-31, 33, and 37 have been

amended. No claims have been newly added. Therefore, claims 1-2, 4-6, 8, 12, 14-15, 17-19,

21, 25-27, 29-31, 33, and 37 are pending. Support for the instant amendments is provided

throughout the as-filed Specification. Thus, no new matter has been added. In view of the

foregoing amendments and following comments, allowance of all the claims pending in the

application is respectfully requested.

INFORMATION DISCLOSURE STATEMENT

Applicants thank the Examiner for considering the references cited in the Information

Disclosure Statement filed on April 25, 2002, as evidenced by the signed and initialed copy of

the PTO-1449 Form returned with the Office Action.

CLAIM OBJECTION

The Examiner has objected to claim 13 as allegedly being of improper dependent form

for failing to further limit the subject matter of a previous claim [Office Action, pg. 3, ¶4].

Solely in an effort to expedite prosecution, and without acknowledging the merits of the

objection, claim 13 has been cancelled, rendering the objection moot. Accordingly,

withdrawal of the claim objection is earnestly sought.

400512319 2.DOC

Applicant:

KRAENZEL et al.

Serial No:

10/091,573 March 7, 2002

Filing Date: Page:

11 of 14

REJECTION UNDER 35 U.S.C. § 101

Claim 13 stands rejected under 35 U.S.C. § 101 as allegedly being directed to non-

statutory subject matter [Office Action, pg. 2, ¶3]. Although Applicants disagree with the

rejection for at least the reason that the Examiner is improperly reading limitations into 35

U.S.C. § 101 on the subject matter that may be patented, claim 13 has been cancelled solely in

an effort to expedite prosecution. Accordingly, the rejection of claim 13 under 35 U.S.C. §

101 has been rendered moot, and should be withdrawn.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-37 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable

over U.S. Patent No. 5,960,173 to Tang et al. (hereinafter "Tang") [Office Action, pg. 4, ¶8].

Applicants disagree with the propriety of the rejection. However, solely in an effort to

expedite prosecution, one or more claims have been amended to clarify points of novelty over

Tang.

In particular, independent claim 1 recites, inter alia, the features of:

enabling one or more users to declare, and associate information with, one or more topics, wherein associated information for a declared topic comprises at least one of a

topic description, or one or more keywords relating to the topic;

storing declared topics and their associated information;

Independent claim 1 further recites:

monitoring computing activities of a user;

400512319_2.DOC

Applicant:

KRAENZEL et al.

Serial No:

10/091,573 March 7, 2002

Filing Date: Page:

12 of 14

determining if the user appears to be interested in a declared topic based on the monitored activities and based on the

declared topic's associated information

Independent claims 14 and 26 include similar recitations. Tang, by contrast, teaches a mechanism that enables workers using their computers to know which other workers are "nearby" in terms of the type of work they are doing, such as the data they are accessing, the application they are using, and the time when such work was performed. Tang, column 3, lines 24-29. The mechanism is embodied within a computer network including computers running encounter-aware applications and corresponding encounter proxy objects that provide a communication mechanism to an networked encounter server. Id., column 13, lines 29-32. The encounter server maintains a list of the encounter-aware applications on the computers within the computer network and receives information about each application from its encounter proxy. The server further maintains information identifying which application is currently active for the user. Id., column 13, lines 61-67. The encounter server receives and stores status messages from the encounter proxy objects, wherein the status messages identifies at least the application and the user's position within the application. Id., column 14, lines 3-10. The encounter server receives status messages and compares the received message with stored status messages and, based on a comparison, determines whether user's are task proximate. *Id.*, column 14, lines 18-35.

First, the system of Tang does not teach enabling one or more users to declare, and associate information with, one or more topics, wherein the associated information comprising at least one topic description, or one or more keywords related to the topic, as recited in claims 1, 14 and 26. As discussed above, Tang uses encounter-aware applications

Applicant:

KRAENZEL et al.

Serial No:

10/091,573 March 7, 2002

Filing Date:

Page:

13 of 14

and encounter proxy objects to monitor activities on a computer and communicate with an

encounter server. Based on information received and stored on the encounter server, task

proximity is determined.

Moreover, Tang does not teach or suggest determining whether the user is interested

in the declared topic based at least on the monitored activities and based on the declared

topic's associated information, as presently recited in claims 1, 14 and 26. As discussed

above. Tang does not allow users to declare topics and associate information with the

declared topic. Therefore, Tang does not determine task proximity by at least a declared topic

and associated information.

For at least the reason that Tang fails to disclose, teach, or suggest every feature of

independent claims 1, 14, and 26, the rejection under 35 U.S.C. § 103(a) is improper and

should be withdrawn. Dependent claims 2, 4-6, 8, 12, 15, 17-19, 21, 25, 27, 29-31, 33, and

37 are allowable because they depend from allowable independent claims, as well as for the

further features they recite.

Applicant:

KRAENZEL et al.

Serial No:

10/091,573

Filing Date:

March 7, 2002

Page:

14 of 14

CONCLUSION

Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Date: January 11, 2007

Respectfully submitted,

By:

Christopher M. Tucker Registration No.: 48,783

PILLSBURY WINTHROP SHAW PITTMAN LLP

P.O. Box 10500

McLean, Virginia 22102 Direct Dial: 703-770-7646

Main: 703-770-7900 Fax: 703-770-7901